

UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF MICHIGAN (Grand Rapids)

IN RE:

SHAUN PAUL GOBER,

Debtor.

Case No. 21-00147
Chapter 7
Honorable James W. Boyd

**OBJECTION TO TRUSTEE'S MOTION FOR APPROVAL OF
SALE/SETTLEMENT AGREEMENT WITH DEBTOR**

COMES NOW Kingsley Lumber & Hardware LLC, a secured creditor, by and through its attorneys, Pezzetti, Vermetten & Popovits, P.C., and files its Objection to the *Trustee's Motion for Approval of Sale/Settlement Agreement with Debtor*, stating as follows:

1. Kingsley Lumber & Hardware LLC (the "Creditor") is a creditor in the above bankruptcy estate.
2. The Creditor's President is Michael Tucker ("Tucker").
3. Tucker has done business with the Debtor, Shaun Paul Gober ("Gober") for years and Tucker and Gober have enjoyed a social relationship for years.
4. Arising from that relationship, Tucker is familiar with Debtor's home and possessions, including the assets which Trustee proposes to sell back to Gober for \$3,000.
5. Tucker has some knowledge of the value of the assets in question and believes the Trustee's Value stated with the Proposed Sale/Settlement Agreement does not reflect fair value of the listed assets.
6. Specifically, Tucker asserts:
 - a. the 1985 Porsche is worth significantly more than \$3,000;
 - b. the 2004 Buell mc is worth significantly more than \$2,600;
 - c. the 2014 Bravo Tr. is worth significantly more than \$3,500;
 - d. the 1973 Opel GT is worth significantly more than \$1,600;
 - e. the 2016 Manitou Tritoon boat is worth more than \$57,000.

7. Furthermore, Tucker is willing to acquire some or all of the assets the subject of the proposed Sale/Settlement Agreement for more than the assigned Trustee's Value.

WHEREFORE, Kingsley Lumber & Hardware LLC respectfully requests that the Court (1) sustain the objections raised herein and deny the relief sought in the Motion; (2) grant adequate protection in favor of Kingsley Lumber & Hardware LLC; (3) schedule a hearing on the Trustee's motion and notify the Creditors; and (4) grant such other relief as the Court deems just and equitable.

Respectfully submitted,

PEZZETTI, VERMETTEN & POPOVITS, P.C.

Dated: August 4, 2021

/s/ Gary D. Popovits

Gary D. Popovits (P63861)
Counsel for Kingsley Lumber & Hardware LLC
600 East Front Street, Suite 102
Post Office Box 5817
Traverse City, Michigan 49696-5817
(231) 929-3450